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09/823,396	03/30/2001	Yuichi Taguchi	37016.00181(HAL 151A)	8762

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EXAMINER

SHANG, ANNAN Q

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/823,396	Applicant(s) TAGUCHI ET AL.	
	Examiner Annan Q. Shang	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 05/04/05 have been fully considered but they are not persuasive.

With respect to claims 1-20, rejected under 35 U.S.C. 102(e) as being anticipated by **Alexander et al (6,177,931)**, applicant argues that, "Accordingly, each independent claim in its particular manner is directed to selecting a media stream from a plurality of media streams of different types from a single interface. Applicant respectfully submits that Alexander does not teach such an interface, and thus respectfully requests that the rejection of the claims as amended be withdrawn," (page 8, lines 23 of Applicant's Remarks).

In response, Examiner disagrees. Examiner notes Applicant's arguments, however Alexander teaches where Television receiver 'TVR' 10 receives EPG and programs from different types of media, such as cable, satellite, Internet, etc., and stores and displays the various source identifiers (channel numbers, Channel names, URLs or website address to various Internet websites, col. 8, lines 31-64, col. 18, lines 1-12, lines 48-53 and col. 28, lines 12-21). Further the user can interact to the EPG data to select appropriate identifier, and a Processor of TVR 10 connects the user to the appropriate data source to retrieve the information. The amended independent claims 1, 7 and 11 and their dependent claims 2-6, 8-10 and 12-20, do not overcome the prior art or record Alexander, hence a rejection is hereby being made using the same reference

Alexander, since Alexander meets all the claimed limitations. This office action is made Final.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20, are rejected under 35 U.S.C. 102(e) as being anticipated by **Alexander et al (6,177,931)**.

As to claim 1, note the **Alexander et al** reference figures 1-4, disclose creation of viewer profile and utilizations of viewer profile information to customize various aspects of the EPG and advertisements and further disclose a web tuner apparatus (Television Receiver "TVR" 10), comprising:

a processor (TVR 10 Processor fig. 1, col. 3, line 2-7 and col. 5, lines 20-28); and  
a memory (RAM of TVR 10);

a first personal information store (customized EPG stored in RAM of TVR 10, col. 3, lines 3-7, col. 5, lines 21-28 and col. 16, line 36-col. 17, line 12) comprising media identifiers for a personal set of media sources (cable, Internet, satellite, etc., col. 8, lines

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31-64, col. 18, lines 1-12, lines 48-53 and col. 28, lines 12-21), the personal information store capable of storing media identifiers for media sources of various types (favorite channel numbers 'CH 1+', channel names 'CNN, CBS, ESPN,' etc., URLs or website addresses to websites on the Internet, etc., stored in TVR 10 RAM);

a remotable media control device (Remote Controller 'RC' 26 or User Input Device (fig. 2 and col. 3, lines 21-35), capable of receiving media source selection;

a display (TVR 10 Display Unit (col. 7, lines 10-17, col. 10, lines 43-60 and col. 16, lines 36-50), operable to provide information about media sources;

a plurality of receivers (TVR 10 Tuner or Receiver for CATV and Satellite, Modem for Internet, etc., col. 3, lines 3-7, col. 8, lines 31-64, col. 18, lines 1-12, lines 48-53 and col. 28, lines 12-21), operable to receive a plurality of media streams over distribution channels of various types from the media sources:

a switch (TVR 10 Processor/Tuner) controls a switch to an appropriate source to retrieve information, col. 5, lines 21-53, col. 8, lines 19-35 and col. 7, col. 10, lines 43-60), operable to select one of media streams received by the plurality of receivers in accordance with the media source selection information; and an output interface (TVR 10 Display Unit) providing a media output pertaining to the media stream selected by the switch for presentation to the viewer (col. 16, lines 36-50), note that upon receiving a viewer selection of a program or channel via RC 26, TVR 10 Processor, commands tuner of TVR 10, to select the program to be played from the at least one of the plurality of programs received by TVR 10, furthermore the Processor establishes a link via TVR 10 Modem to websites on the Internet to retrieve website information.

As to claim 2, Alexander further discloses where the types of media, includes cable television, television broadcast, satellite, WWW and Internet based information (col. 8, lines 19-43 and col. 32, lines 7-22).

As to claim 3, Alexander further discloses where one of the favorite channel(s) comprises a logical channel table (col. 8, lines 5-35, col. 16, lines 36-50 and col. 30, lines 47-58).

As to claim 4, Alexander further discloses where the RC 26 comprises a channel service user interface for a plurality of programs, where the channels or sources are mapped into logical channel values (col. 7, lines 10-17, col. 10, lines 43-60 and col. 30, line 47-col.31, line 14).

As to claim 5, Alexander further discloses where a Programmable Direct Memory Access (DMA) "main controller program" process operatively disposed in the memory, the DMA providing inputs to select program to Tuner "media selector" and inputs to customize channel information to a channel customize program process (col. 5, lines 20-45)

As to claim 6, Alexander further discloses where TVR 10 includes a network interface means for providing connectivity to a server (col. 8, lines 44-64).

As to claim 7, note the **Alexander et al** reference figures 1-4, disclose creation of viewer profile and utilizations of viewer profile information to customize various aspects of the EPG and advertisements and further disclose a web station apparatus (EPG internet website), comprising:

the claimed “a processor,” “a memory,” “a display,” “an input device,” and “a server” are met by EPG Internet website (col. 8, lines 19-65, col. 29 and line 31-col. 30, line 15); which includes a memory for storing users’ profiles or favorite channel(s) information and a Processor which commands a search of the database or memory base on a user’s profile, a display to aid the operator to input information and a server where other channel information may be stored.

a subscriber URL information store (EPG Internet web sites, col. 8, lines 18-64, col. 16, line 36-col. 17, line 12 and col. 30, lines 1-16, which stores a viewer favorite website addresses ‘URLs information,’ col. 8, lines 18-64 and col. 18, line 1-12), the subscriber URL information store comprising a plurality of hierarchical categories (Sports, Movies, News, etc., col. 7, lines 46-56), the categories providing organization for identifiers of media content of various types (identifiers such as, favorite channel numbers ‘CH 1+,’ channel names ‘CNN, CBS, ESPN,’ etc., URLs or website addresses to websites on the Internet , etc., and media types, cable, satellite, Internet, etc., col. 8, lines 31-64, col. 18, lines 1-12, lines 48-53 and col. 28, lines 12-21); and

a network interface (inherent to EPG Internet web sites, col. 8, lines 18-43) for providing connectivity and enabling the web station apparatus to be accessible by a web tuner (Television Receivers ‘TVR’ 10 or PCs, col. 3, lines 2-20);

where media is accessible by commanding the server to search the hierarchical categories in the subscriber URL information to find media having content of interest and means for providing the content...” is met by EPG Internet web sites Processor (col. 8, lines 18-64, col. 18, line 1-12 and col. 29, lines 14-67), which searches the

themes EPG Internet database to retrieve themes of interest base the selected website address of the user and provides to the user.

Claim 8 is met as previously discussed with respect to claim 2.

As to claim 9, Alexander further discloses where EPG Internet web sites which stores Viewer information comprises one of a plurality of relational categories that organize the media content (col. 8, lines 46-64, col. 29, line 14-col. 30, line 16 and lines 45-58).

As to claim 10, Alexander further discloses storing favorite channel and programs "personal channel information," where the favorite channel table stored locally in RAM or TVR 10 and is mirrored by to enable the viewer to reference the channel table from remote locations (col. 16, line 36-col. 17, line 12 and col. 29, line 31-col. 30, line 16 and lines 45-58).

As to claim 11, note the **Alexander et al** reference figures 1-4, disclose creation of viewer profile and utilizations of viewer profile information to customize various aspects of the EPG and advertisements and further disclose method for accessing media, the method comprising:

receiving at a receiver (Television Receiver 'TVR' 10, which receives CATV and Satellite, and also receives via a Modem, Internet information, etc., col. 3, lines 3-7, col. 8, lines 31-64, col. 18, lines 1-12, lines 48-53 and col. 28, lines 12-21) a plurality of media streams of different types from different distribution channels;

retrieving identifiers (TVR 10 Processor, retrieves favorite channel(s), channel name(s), CNN, CBS, ESPN, etc., URLs or website addresses to websites on the



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Internet , etc.,) for media streams previously identified by a user (interactive media, channels, web site, etc., col. 16, line 36-col. 17, line 12);

displaying (TVR 10 display unit, figs 5-7) identifiers; and

upon receiving a viewer selection via a user interface (Remote controller 'RC' 26) one of the identifiers corresponding to media to be played; (TVR 10 Processor) commands a switch (Tuner 10 or within the Processor) to select the media stream (TV program) corresponding to the selected identifier and outputs to TVR 10 display for presentation to the viewer (col. 7, lines 10-17, col. 10, lines 43-60 and col. 16, lines 36-50).

As to claim 12, Alexander further discloses storing the favorite channels in a RAM of TVR 10 (col. 16, line 36-col. 17, line 12).

As to claim 13, Alexander further discloses where method forwards from TVR 10 a copy of the viewer profile or favorite channel information "personal information" store to EPG Internet website "a server;" create at the server a copy of the favorite channel information and access the copy of the profile or favorite channel information store to retrieve the favorite channel of programs to be played from TVR 10 "a second location at a later time" (col. 8, lines 37-64, col. 28, lines 10-35 and col. 29, line 31-col. 30, line 16 and lines 45-58).

As to claim 14, Alexander further discloses where the method stores the channel for the program being played and stores in a user watch list (col. 9, line 65-col. 10, line 12).

As to claim 15, Alexander further discloses where the method stores the identifiers in a viewer URL RAM of TVR 10 (col. 8, line 44-64).

As to claim 16, Alexander further discloses where the method stores a viewer favorite website address "URL information" (col. 8, lines 18-64 and col. 18, line 1-12) comprising at least one of a plurality of hierarchical categories, Sports, Movies, News, etc., (col. 7, lines 46-56), the categories providing organization of favorite channel(s) for the program "identifiers of media content" for at least a plurality of channels "sources" of the programs "media streams (col. 29, lines 14-67 col. 16, line 36-col. 17, line 12 and col. 30, lines 1-16);

As to claim 17, Alexander further discloses where the method selects the program to be played and selects one of a plurality of website address corresponding to the related program to be played (col. 8, lines 19-64, col. 18, lines 1-12, lines 33-53 and col. 29, lines 31-col. 30, line 16).

Claim 18 is met as previously discussed with respect to claim 2.

As to claim 19, Alexander further discloses where the method causes an identity of a user and provides a plurality of user favorite channels for the user (col. 17, lines 13-36, col. 8, lines 5-17 and col. 16, lines 36-col. 17, line 12).

As to the claim 20, Alexander further discloses where the method causes the TVR 10 to search "scan" the input source for a plurality of available television channels, map the available channels to favorite channels, search the plurality of receivable radio frequencies, map the receivable radio frequencies to the favorite channels search the EPG Internet sources and map the plurality of Internet sources to

the favorite channels (col. 8, lines 44-64, col. 18, lines 1-12, lines 33-col. 19, lines 12, col. 29, line 31-col. 30, line 16 and lines 45+).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nishioka et al (6,785,905) disclose television transmitter, television transmitting method, television receiver and television receiving method.

Broberg (6,529,680) discloses device for selecting and controlling a plurality of signal sources in a television system.

**5. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**.



**Annan Q. Shang**



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